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*Attorneys Specially Appearing for Defendants
SHOPIFY INC. and SHOPIFY (USA) INC.*

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

ROBERT G. LOPEZ, *pro se*,

Plaintiff,

v.

SHOPIFY, INC., and SHOPIFY (USA), INC.

Defendants.

Case No. 16-CV-09761(VEC)(AJP)

**DEFENDANTS SHOPIFY INC.'S AND
SHOPIFY (USA) INC.'S NOTICE OF
MOTION AND MOTION TO DISMISS**

PLEASE TAKE NOTICE that, upon the Declarations of Erin Zipes and Rebecca K. Felsenthal, and the exhibits attached thereto, and the memorandum of law submitted herewith, Defendants Shopify Inc. and Shopify (USA) Inc. (the “Shopify Defendants”), by and through their undersigned attorneys, will respectfully move the Court before the Honorable Valeria E. Caproni, at the Thurgood Marshall United States Courthouse, 40 Foley Square, Courtroom 443, New York, New York 10007, at a date and time to be determined by the Court, for an order pursuant Rules 12(b)(2), 12(b)(3), 12(b)(5) and 12(b)(6) of the Federal Rules of Civil Procedure, dismissing Plaintiff Robert G. Lopez’s First Amended Complaint (Dkt. 7) with prejudice for lack of personal jurisdiction, improper venue, insufficient service of process, and failure to state a claim upon which relief can be granted, and for such other and further relief as the Court may deem just and proper.

DATED: March 29, 2017

SIDEMAN & BANCROFT LLP

By:



Rebecca K. Felsenthal
Attorneys Specially Appearing for Defendants
Shopify Inc. and Shopify (USA) Inc.